

BETH MAXWELL STRATTON
CHAPTER 7 TRUSTEE
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

In re:

SHANE PAUL KROGEN and
JULIE ANN KROGEN,

Debtors.

Case No. 07-10101-B-7

Chapter 7

DC No. BMS-1

**MOTION FOR APPROVAL OF SALE
OF PERSONAL PROPERTY**

Date: November 9, 2010

Time: 10:00 a.m.

Dept. B, Hon. W. Richard Lee

Beth Maxwell Stratton, Chapter 7 Trustee ("Trustee"), represents:

1. Shane Paul Krogen and Julie Ann Krogen, ("Debtors"), filed their Chapter 7 bankruptcy petition on January 12, 2007. Trustee is the duly appointed, qualified and acting Trustee in this case.

2. This court has jurisdiction over this motion by virtue of 28 U.S.C. section 1334 and 11 U.S.C. section 363. This is a core matter under 28 U.S.C. section 157(b)(2)(A) & (N). E

3. The assets of the estate include 25% of the monthly payments of \$1,559.97 to Debtors from Debtor Julie Krogen's deceased father's testamentary trust. Trustee has agreed to sell the estate's interest in the future payments to Debtors, as set forth below.

4. The Debtors have been making monthly payments in the sum of \$389.99 to the estate since March 21, 2007. The trust is set up for a ten-year term which began in 2006 and will continue to pay the Debtors until May 2016.

1 5. Because the Trustee believes the estate needs to be closed in an expeditious
2 manner, and has been unable to find a buyer for the income stream, Trustee has agreed to sell
3 the estate's interest in the future payment stream to the Debtors, subject to court approval.

4 6. Trustee has agreed to accept five payments of \$600.00 from the Debtors
5 commencing in September, 2010 through January 2011, for a total of \$3,000.00.

6 7. There are no liens and the Debtors did not claim an exemption.

7 8. Trustee believes that the above is the best price that Trustee can obtain for the
8 income stream generated by the trust and believes that no price can be obtained which would
9 net a greater amount to the estate.

10 9. Trustee will not incur a tax liability as a result of the sale.

11 WHEREFORE, Trustee prays that she be authorized to sell the estate's interest in the
12 monthly income distributed to the Debtors from the trust, as set forth above, for a total of
13 \$3,000.00 to the estate.

14 Dated: October 5, 2010

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17 BETH MAXWELL STRATTON, Trustee
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